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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,796	04/09/2004	Robert F. Snapp	08049.0937	8712
22852	7590	04/22/2009		
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 901 NEW YORK AVENUE, NW WASHINGTON, DC 20001-4413			EXAMINER ROBINSON BOYCE, AKIBA K	
			ART UNIT 3628	PAPER NUMBER
			MAIL DATE 04/22/2009	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/820,796

Applicant(s)

SNAPP ET AL.

Examiner

AKIBA K. ROBINSON BOYCE

Art Unit

3628

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 April 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-19, 21-34 and 36-45 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-19, 21-34, and 36-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/6/09 has been entered.

Status of Claims

2. Due to communications filed 4/6/09, the following is a non-final office action. Claims 1, 6, 16, 21, 31, 36 have been amended. Claims 5, 20, 35 are cancelled. Claims 1-4, 6-19, 21-34, and 36-45 remain pending in this application and have been examined on the merits. The previous rejection has been adjusted to reflect claim amendments. Claims 1-4, 6-19, 21-34, and 36-45 are rejected as follows.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-8, 12-23, 27-38, 42-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaffer et al (US 5,901,214).

As per claims 1, 31, Shaffer et al discloses:

receiving delivery data corresponding to a delivery point; determining if the delivery data includes a secondary element, (Col. 11, lines 34-40, further subdivide delivery point code (DPC) using USPS secondary address, where receiving is inherent with Shaffer et al since the delivery data must first be received in order to process by subdividing); and

creating the alternative delivery point code if the delivery data includes the secondary element, wherein the creating comprises calculating, based on the secondary element, a number, and setting at least one digit of the alternative delivery point code to the calculated number, (Col. 11, lines 34-43, further subdivide the DPC using the USPS secondary address to create *a unique housing or business unit identifier* [suggests the random number], and then appending the secondary address to the end of the DPC results in an extended 19 digit USPS ZIP Code, thereby creating a unique housing unit or business unit identifier, where in this case, the random number represented by the unique housing or business unit identifier is used to set the alternative delivery point code to a new unique housing unit or business unit identifier going from an 8 digit to a 19 digit zip code).

Shaffer et al does not specifically disclose one of a random number or a pseudo-random number, however suggests this limitation since the unique number created for

the secondary address contains a portion of the DPC, and therefore has no specific pattern, thereby suggesting that the unique number is random.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate random or pseudo-random numbers in a postal system with the motivation of using numbers with no specific pattern to create unique postal identifiers.

As per claim 2 Shaffer et al discloses:

wherein the secondary element comprises at least one of a fractional number, a trailing alpha, a descriptor, and a secondary number, (Col. 11, lines 37-40, secondary address is stored as an eight character field).

As per claims 3 , 4, 18, 19, 33, 34, Shaffer et al discloses:

further comprising creating a normal delivery point code based upon the delivery data if the delivery data does not include the secondary element/ wherein the normal delivery point code comprises the two right-most digits in a primary address number of the delivery point, (col. 11, lines 44-45, 19 digit zip code).

As per claims 6, 21, 36, Shaffer et al discloses:

wherein creating the random number further comprises initializing an alphanumeric field with blanks and a numeric field with zeros, the three element alphanumeric field comprising a first alphanumeric element, a second alphanumeric element, and a third alphanumeric element, and the three element numeric field comprising a first numeric element, a second numeric element, and a third numeric element, (Col. 49, lines 1-5, leading zero/blank character/"123").

As per claims 7, 22, 37, Shaffer et al discloses:

wherein creating the random number further comprises storing data associated with the secondary element in one of the three element alphanumeric field and the three element numeric field, (Col. 49, lines 32-49, shows use of records).

As per claims 8, 23, 38, Shaffer et al discloses:

wherein creating the random number further comprises converting the contents of the three element alphanumeric field to numeric data, (Col. 49, lines 15-19).

As per claims 12, 27,42, Shaffer et al does not specifically disclose the following:
wherein the random prime number is 47.

However, the nature of the facility and its particular industry is descriptive material and is not functionally involved in the recited steps of the method. Because it has no functional role in the method it is non-functional descriptive material, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability, see *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983). MPEP 2106).

As per claims 13, 28, 43, Shaffer et al discloses:

wherein the normal delivery point code associated with the delivery point comprises the two right-most digits in a primary address number of the delivery point, (col. 11, lines 44-45, 19 digit zip code).

As per claims 14, 29, 44, Shaffer et al discloses:

wherein the alternative delivery point code is numeric, (Col. 49, lines 1-5,"123").

As per claims 15, 30, 45, Shaffer et al discloses:

wherein the alternative delivery point code comprises one of two digits and two alphanumeric characters, (Col. 49, lines 1-5, numeric fields/fields containing a letter)) .

As per claim 16, Shaffer et al discloses:

a memory storage for maintaining a database, (col. 2, lines 30-33, information retrieval, processing and storage/databases); and

a processing unit coupled to the memory storage, (Col. 2, lines 30-33, information processing and storage), wherein the processing unit is operative to

receive delivery data corresponding to a delivery point; determine if the delivery data includes a secondary element, (Col. 11, lines 34-40, further subdivide delivery point code (DPC) using USPS secondary address, where receiving is inherent with Shaffer et al since the delivery data must first be received in order to process by subdividing); and

create the alternative delivery point code based upon the secondary element if the delivery data includes the secondary element, wherein the creating comprises calculating, based on the secondary element, one of a random number or a pseudo-random number and setting at least one digit of the alternative delivery point code to the calculated number (Col. 11, lines 34-43, further subdivide the DPC using the USPS secondary address to create *a unique housing or business unit identifier* [suggests the random number], and then appending the secondary address to the end of the DPC results in an extended 19 digit USPS ZIP Code, thereby creating a unique housing unit or business unit identifier, where in this case, the random number represented by the unique housing or business unit identifier is used to set the alternative delivery point

code to a new unique housing unit or business unit identifier going from an 8 digit to a 19 digit zip code).

Shaffer et al does not specifically disclose one of a random number or a pseudo-random number, however suggests this limitation since the unique number created for the secondary address contains a portion of the DPC, and therefore has no specific pattern, thereby suggesting that the unique number is random.

It would have been obvious to one of ordinary skill in the art at the time of the applicant's invention to incorporate random or pseudo-random numbers in a postal system with the motivation of using numbers with no specific pattern to create unique postal identifiers.

As per claims 17, 32, Shaffer et al discloses:

wherein the secondary element comprises at least one of a fractional number, a trailing alpha, a descriptor, and a secondary number, (col. 49, lines 1-2).

Allowable Subject Matter

5. Claims 9-11, 24-26, 39-41 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

6. Applicant's arguments filed 4/6/09 have been fully considered but they are not persuasive.

Applicant mainly argues that *Shaffer* does not teach ""creating the alternative delivery point code....wherein the creating comprises [(1)] calculating, based on the secondary element, a random number or a pseudo-random number and [(2)] setting at least one digit of the alternative delivery point code to the calculated number," as amended, and as recited in the independent claims. However, as described above in the rejection, in Col. 11, lines 34-43, Shaffer et al discloses further subdividing the DPC using the USPS secondary address to create *a unique housing or business unit identifier* [suggests the random number], and then appending the secondary address to the end of the DPC results in an extended 19 digit USPS ZIP Code, thereby creating a unique housing unit or business unit identifier, where in this case, the random number represented by the unique housing or business unit identifier is used to set the alternative delivery point code to a new unique housing unit or business unit identifier going from an 8 digit to a 19 digit zip code. Although Shaffer et al does not specifically disclose one of a random number or a pseudo-random number, this limitation is suggested by Shaffer et al since the unique number created for the secondary address contains a portion of the DPC, and therefore has no specific pattern, thereby suggesting that the unique number is random.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Akiba K Robinson-Boyce whose telephone number is 571-272-6734. The examiner can normally be reached on Monday-Friday 9am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Hayes can be reached on 571-272-6708. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the •Patent Application Information Retrieval (PAIR) system, Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

A. R. B.
April 22, 2009

/Akiba K Robinson-Boyce/

Primary Examiner, Art Unit 3628